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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. O'Phelan et al.

Title: FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE

Docket No.: 279.234US4

Serial No.: 10/758,701

Filed: January 15, 2004

Due Date: N/A

Examiner: Mark H. Paschall

Group Art Unit: 3742

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ A Communication Concerning Related Applications (3 pgs.).
- ☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 10 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

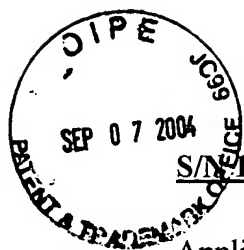
By: Peter C. Maki  
Atty: Peter C. Maki  
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of September, 2004.

JAMES KANYUSIK  
Name

James Kanyusik  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)



S/N 10/758,701

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMUNICATION CONCERNING RELATED APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/706515 6684102	November 3, 2000	279.088US1	IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS
09/706518 6687118	November 3, 2000	279.168US1	FLAT CAPACITOR HAVING STAKED FOILS AND EDGE-CONNECTED CONNECTION MEMBERS
09/705994 6571126	November 3, 2000	279.169US1	METHOD OF CONSTRUCTING A CAPACITOR STACK FOR A FLAT CAPACITOR
09/705976 6522525	November 3, 2000	279.171US1	IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES
09/706517	November 3, 2000	279.235US1	FLAT CAPACITOR HAVING AN ACTIVE CASE
09/706576	November 3, 2000	279.268US1	CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS
09/706579	November 3, 2000	279.271US1	CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER

09/706519 6509588	November 3, 2000	279.339US1	METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR
10/287285 6674634	November 4, 2002	279.171US2	IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES
10/299234 6709946	November 19, 2002	279.339US2	METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR
10/758677	January 15, 2004	279.234US3	FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE
10/413680 2004/0019268 A1	April 15, 2003	279.268US2	CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS
10/418616 6763265	April 17, 2003	279.169US2	METHOD OF CONSTRUCTING A CAPACITOR STACK FOR A FLAT CAPACITOR
10/728655 20040114311 A1	December 5, 2003	279.168US2	FLAT CAPACITOR HAVING STAKED FOILS AND EDGE-CONNECTED CONNECTION MEMBERS
10/736209	December 15, 2003	279.088US2	IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS
10/729424	December 5, 2003	279.171US3	IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES
10/804288	March 18, 2004	279.339US3	METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR
10/846805	May 14, 2004	279.271US2	CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER

10/874798	June 23, 2004	279.823US1	METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR
10/882144	June 30, 2004	279.169US3	METHOD OF CONSTRUCTING A CAPACITOR STACK FOR A FLAT CAPACITOR

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 9/2/04 By Peter C Maki  
Peter C. Maki  
Reg. No. 42,832

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JAMES KANYUSIK  
Name

James Kanyusik  
Signature

S/N 10/758,701



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Michael J. O'Phelan et al.	Examiner:	Mark H. Paschall
Serial No.:	10/758,701	Group Art Unit:	3742
Filed:	January 15, 2004	Docket:	279.234US4
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

The present application is a U.S. national patent application filed after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

MICHAEL J. O'PHELAN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date 9/2/04

By Peter C. Maki  
Peter C. Maki  
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JAMES KAUYUSIK  
Name

James Kauyusik  
Signature

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/758,701
<b>Filing Date</b>	January 15, 2004
<b>First Named Inventor</b>	O'Phelan, Michael
<b>Group Art Unit</b>	3742
<b>Examiner Name</b>	Paschall, Mark

Attorney Docket No: 279.234US4

Sheet 1 of 2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2003/0195568 A1	10/16/2003	O'Phelan, Michael J., et al.	607	5	04/17/2003
	US-2004/0019268 A1	01/29/2004	Schmidt, Brian L., et al.	600	407	04/15/2003
	US-2004/0114311 A1	06/17/2004	O'Phelan, M. J., et al.	361	530	12/05/2003
	US-2004/0127952 A1	07/01/2004	O'Phelan, M. J., et al.	607	36	02/07/2003
	US-1,931,043	10/17/1933	Taylor, F. W.			03/04/1932
	US-3,803,457	04/09/1974	Yamamoto, H.	317	230	05/07/1973
	US-4,171,477	10/16/1979	Funari, J.	219	56.21	12/17/1976
	US-4,394,713	07/19/1983	Yoshida, K.	361	502	12/05/1980
	US-6,117,194	09/12/2000	Strange, Thomas F., et al.	29	25.03	01/12/1999
	US-6,324,049	11/27/2001	Inagawa, M., et al.	361	502	12/08/1997
	US-6,375,688	04/23/2002	Akami, K., et al.	29	25.03	09/07/1999
	US-6,404,619	06/11/2002	Marshall, Timothy R., et al.	361	526	12/09/1999
	US-6,409,776	06/25/2002	Yan, Jenn-Feng, et al.	29	25.03	06/30/2000
	US-6,451,073	09/17/2002	Farahmandi, C. J., et al.	29	25.03	05/16/2000
	US-6,628,505	09/30/2003	Andelman, M. D.	361	541	02/12/2002
	US-6,674,634	01/06/2004	O'Phelan, Michael J., et al.	361	509	11/04/2002
	US-6,684,102	01/27/2004	O'Phelan, Michael J., et al.	607	5	11/03/2000
	US-6,687,118	02/03/2004	O'Phelan, Michael J., et al.	361	508	11/03/2000
	US-6,699,265	03/02/2004	O'Phelan, Michael J., et al.	607	1	11/03/2000
	US-6,709,946	03/23/2004	O'Phelan, Michael J., et al.	438	396	11/19/2002
	US-6,763,265	07/13/2004	O'Phelan, M. J., et al.	607	5	04/17/2003

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † Applicant's unique citation designation number (optional) ‡ Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/758,701
<b>Filing Date</b>	January 15, 2004
<b>First Named Inventor</b>	O'Phelan, Michael
<b>Group Art Unit</b>	3742
<b>Examiner Name</b>	Paschall, Mark

Sheet 2 of 2

Attorney Docket No: 279.234US4

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		O'PHELAN, MICHAEL J., et al., "CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER", Application Serial No. 09/706,579, Filed November 3, 2000 Attorney Docket No. 279.271US1, 29 pgs.	
		O'PHELAN, MICHAEL, et al., "CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER", Application Serial No. 10/846,805, Filed May 14, 2004 Attorney Docket No. 279.271US2, 39 pgs.	
		O'PHELAN, MICHAEL J., et al., "FLAT CAPACITOR FOR AN IMPLANTABLE MEDICAL DEVICE", Application Serial No. 10/758,677, Filed January 15, 2004 Attorney Docket No. 279.234US3, 219 pgs.	
		O'PHELAN, MICHAEL J., "FLAT CAPACITOR HAVING AN ACTIVE CASE", Application Serial No. 09/706,517, Filed November 3, 2000 Attorney Docket No. 279.235US1, 39 pgs.	
		O'PHELAN, MICHAEL J., et al., "IMPLANTABLE HEART MONITORS HAVING CAPACITORS WITH ENDCAP HEADERS", Application Serial No. 10/736,209, Filed December 15, 2003 Attorney Docket No. 279.088US2, 19 pgs.	
		O'PHELAN, MICHAEL J., et al., "IMPLANTABLE HEART MONITORS HAVING FLAT CAPACITORS WITH CURVED PROFILES", Application Serial No. 10/729,424, Filed December 4, 2003 Attorney Docket No. 279.171US3, 28 pgs.	
		O'PHELAN, MICHAEL, et al., "METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR", Application Serial No. 10/874,798, filed June 23, 2004 Attorney Docket No. 279.823US1, 39 pgs.	
		O'PHELAN, MICHAEL, et al., "METHOD OF CONSTRUCTING A CAPACITOR STACK FOR A FLAT CAPACITOR", Application Ser. No. 10/882,144, Filed June 30, 2004 Attorney Docket No. 279.169US3, 57 pgs.	
		SCHMIDT, BRIAN L., et al., "CONFIGURATIONS AND METHODS FOR MAKING CAPACITOR CONNECTIONS", Application Serial No. 09/706/576, Filed November 3, 2000 Attorney Docket No. 279.268US1, 26 pgs.	
		SCHMIDT, BRIAN L., et al., "METHOD FOR INTERCONNECTING ANODES AND CATHODES IN A FLAT CAPACITOR", Application Serial No. 10/804,228, Filed March 18, 2004 Attorney Docket No. 279.339US3, 40 pgs.	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached